

REMARKS

This amendment places the claims in better condition for allowance or appeal and, therefore, is appropriate for entry under 37 C.F.R. § 1.116.

Reconsideration of the present application is respectfully requested. Claims 1, 4-8, 11, 15-21 and 24-26 have been amended. No new matter has been added.

Examiner Interview Summary

Applicants would like to thank the Examiner for the interview conducted by telephone on March 3, 2005. In that interview, Applicant's representative proposed an amendment to claim 1, which the Examiner agreed would make claim 1 allowable over the cited art. It was further agreed that a similar amendment to the remaining independent claims make all of the claims allowable over the cited art. Accordingly, in this amendment all of the independent claims have been amended in accordance with the agreed upon amendment to claim 1. Other amendments have been made to place the claims in better form.

Double Patenting Rejection

Claims 1-33 were rejected for double-patenting based on U.S. Patent no. 6,243,739. During the telephone interview on March 3, 2005, the Examiner clarified that this is an obvious-type double-patenting rejection. Therefore, submitted herewith is a terminal disclaimer, which Applicants believe overcomes the rejection.

Prior Art Rejection

Claims 1-33 were rejected under 35 U.S.C. § 103(a) based on Davani in view of Spaur. Applicants respectfully traverse the rejections. Although Applicants still disagree with the rejections, the point is believed to be moot in view of the above amendments.

Claim 1, as amended, recites:

1. (Currently Amended) A system for reducing perceived latency in servicing user requests to access unsolicited information made from wireless devices, the system comprising a computer to
 - (a) receive the unsolicited information according to a first transmission protocol in a first form, and
 - (b) in response to the receipt of the unsolicited information and recipient identification:
 - (1) to generate a plurality of message entities that embody at least a portion of the unsolicited information in a second form that differs from the first form, and
 - (2) to send a set of message entities according to a second transmission protocol that differs from the first transmission protocol so as to be received by a remote wireless device associated with the intended recipient, the set of message entities including said plurality of message entities, the set of message entities configured to cause the remote wireless device to output a notification relating to the unsolicited information only after the plurality of message entities have been received by the remote wireless device.

(Emphasis added.)

As discussed and agreed during the above-mentioned interview, neither Davani, nor Spaur, nor any combination of their teachings, discloses or suggests a method such as recited in claim 1. In particular, neither Davani, nor Spaur nor any combination thereof discloses or suggests sending a wireless device a set of message entities, including a plurality of message s entities that embody unsolicited information, where

the set of message entities is configured to cause the remote wireless device to output a notification relating to the unsolicited information only after the plurality of message entities have been received by the remote wireless device. For at least this reason, claim 1 and all claims which depend on it are believed to be allowable over the cited art.

Each of the remaining claims has also been amended to include limitations substantially similar to those emphasized above in claim 1. Therefore, all claims are believed to be allowable over the cited art.

Dependent Claims

In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicants' silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

Conclusion

For the foregoing reasons, the present application is believed to be in condition for allowance, and such action is earnestly requested.

If the Examiner perceives any further obstacle to allowing the present application, he is invited to contact the undersigned at (408) 720-8300.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

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